



No. S-135556
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

Between:

BEVERLY MARY ABRAHAM

Plaintiff

And:

JOHN FURLONG, ROMAN CATHOLIC ARCHDIOCESE OF VANCOUVER,
ROMAN CATHOLIC PRINCE GEORGE DIOCESE and
CATHOLIC INDEPENDENT SCHOOLS DIOCESE OF PRINCE GEORGE

Defendants

RESPONSE TO CIVIL CLAIM

Filed by: John Furlong

Part 1: RESPONSE TO NOTICE OF CIVIL CLAIM FACTS

Division 1—Defendant's Response to Facts

1. The facts alleged in paragraph 3 of Part 1 of the notice of civil claim are admitted.
2. The facts alleged in paragraphs 4-7, 9-11 and 13 of Part 1 of the notice of civil claim are denied.
3. The facts alleged in paragraphs 1, 2, 8 and 12 of Part 1 of the notice of civil claim are outside the knowledge of the defendant(s).

Division 2—Defendant's Version of Facts

1. The defendant arrived in Burns Lake from Ireland in or about April 1969 to volunteer as a physical instructor and sports coach at Immaculata School. In 1970, he moved to Prince George and continued volunteering as a physical education instructor and coach at Prince George College until 1972 when he returned to Ireland.
2. The defendant does not recall whether he taught or coached the Plaintiff during the time he was a volunteer at Immaculata or at any other time.
3. The defendant denies that he sexually molested or engaged in any inappropriate conduct in respect of the Plaintiff.
4. The defendant held a press conference on September 27, 2012. His statements during that press conference in which he denied having abused students at Immaculata Elementary (the "Press Conference Statement") were true.

Division 3—Additional Facts

1. none

Part 2:RESPONSE TO RELIEF SOUGHT

1. The defendant opposes the granting of the relief sought in paragraph 1 of Part 2 of the notice of civil claim.

Part 3:LEGAL BASIS

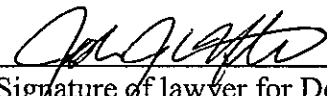
1. The intentional torts and breach of fiduciary duty alleged did not occur.
2. The Press Conference Statement was true in substance and in fact. The defendant pleads and relies upon the common law defence of justification.
3. Furthermore, the Press Conference Statement did not identify the plaintiff and is not capable of being defamatory, and is not in fact defamatory, of the plaintiff as alleged or at all. The plaintiff became an identifiable subject of the Press Conference Statement through her own actions. The defendant pleads and relies upon the common law defence of consent.
4. The plaintiff has suffered no loss, damage or expense, or any injury to reputation in consequence of the Press Conference Statement.
5. The plaintiff self-published the false allegations that she had been sexually or otherwise abused by the defendant. If the plaintiff has suffered loss, damage and expense (which is not admitted but denied), it was caused by the plaintiff's self-publication of the false allegation and not by the allegedly defamatory meanings complained of in the Notice of Civil Claim.

Defendant's address for service: Hunter Litigation Chambers, 2100 – 1040 West Georgia Street, Vancouver, BC V6E 4H1

Fax number address for service: 604-647-4554

E-mail address for service: jhunter@litigationchambers.com

Dated: September 23, 2013


 Signature of lawyer for Defendant
 John J.L. Hunter, Q.C.

Rule 7-1(1) of the Supreme Court Civil Rules states:

- (1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,

- (a) prepare a list of documents in Form 22 that lists
 - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
 - (ii) all other documents to which the party intends to refer at trial, and
- (b) serve the list on all parties of record.